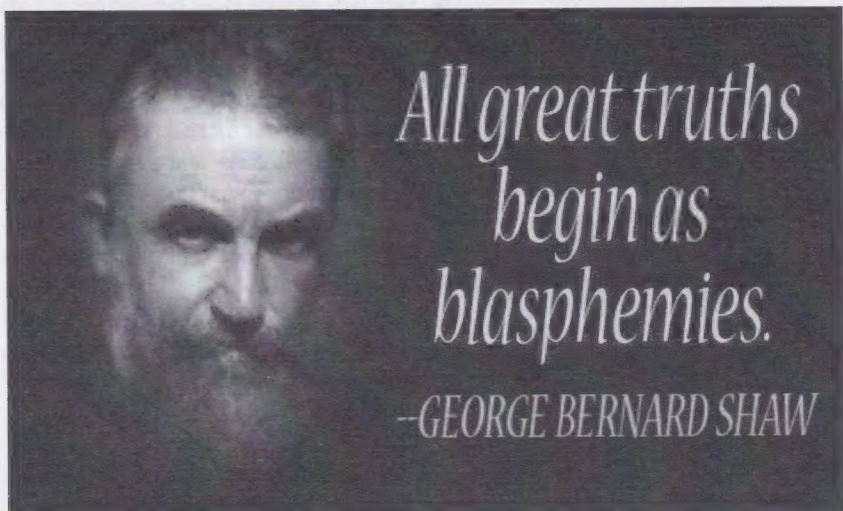




National Alliance BULLETIN

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August 2019



Who You Calling a Cult, Jewboy?

Our William L. Pierce Memorial Library doesn't house only books that reinforce our racial-nationalist, preservationist viewpoint. We also have a good number of books written by our racial enemies. One such volume is Jeffrey Kaplan's 1997, *Radical Religion in America: Millenarian Movements from the Far Right to the Children of Noah*. Kaplan lumps our religion, Cosmotheism, in with Christian Identity, Odinism, Ku Klux Klan-variety Christianity, the anti-Christian Church of the Creator, and some obscure philo-Semitic outfit calling itself B'nai Noah. However, in Kaplan's 200-plus page book about what he calls "White racist millennial

religions," the Cosmotheist Church is mentioned but once — and a footnote gives the Jewish Anti-Defamation League (ADL) as the source for this single sentence: "After 1978, [William Pierce's] National Alliance was joined with a new Pierce creation, the Cosmotheist Church, whose primary tenet of faith appears to be 'Thou shalt not deny Dr. Pierce tax exempt status' as had the Internal Revenue Service in that year."

That's it, coming from a Jew professor of sociology who styles himself an expert in "White racism" and "White supremacy." Kaplan also devotes a *full page* to quoting word-for-word the well-documented enemy of the National Alliance and other legitimate groups, the late and unlamented Harold Covington (see:

<https://nationalvanguard.org/2018/07/dr-william-pierce-on-harold-covington/>). Covington's disgusting, slanderous, and utterly fictional 1993 obituary of the honorable Ben Klassen, founder of the Church of the Creator, was quoted extensively by Kaplan: "Benny Klassen is dead ... the founder of the 'Church of the Creator' sodomy cult, the man whose deviant lifestyle was so notorious that American Skinheads nicknamed him 'old Benny Buttf--k' ... most probably a rabbi's son from Vilna... Enough. The already depleted remnants of his cult are collapsing like a house of cards even as I write. Let it perish along with he who gave it life."

Jeffrey Kaplan promotes the idea that any religion for Whites that is not Semitic must be a "cult." After releasing his 624-page "textbook" *Encyclopedia of White Power* in 2000, which also prominently featured many of Covington's smears of good men, Kaplan co-edited *The Cultic Milieu: Oppositional Subcultures in an Age of Globalization* with another Jewish expert on "nazism," the textbook writer, Heléne Lööw. A blurb on that book reads: "Chapters look at phenomena such as US white supremacy through the lens of the cultic milieu, and help introduce the term to a new audience, especially those concerned with the history and dynamics of the extreme right."

So a new audience of impressionable university students studying sociology, will be taught this in *The Cultic Milieu*:

William Pierce, founder of the National Alliance and doyen of American neo-Nazism from the 1970s to the early 2000s, developed an alternate faith he called Cosmotheism... Part of the lived experience of being a committed white supremacist, for Pierce, was to develop a more profound under-

standing of one's place within the cosmos, while rejecting the worldview of Judeo-Christianity.

Kaplan got that last part right, at least, but how many of those young students can get past the buzzwords "neo-Nazism" and "white supremacism," or "extreme right" for that matter? How many wide-eyed pupils of sociology will actually be able to get beyond the smears and grasp that Dr. Pierce's supplanting the truly cultish, otherworldly Judeo-Christian worldview that is grounded in superstition, with a reality- and science-based worldview that gives "a more profound understanding of one's place within the universe" is perfectly reasonable? Kaplan and his kinsmen attempt to marginalize us by inappropriately associating Cosmotheism with nutty cults like Heaven's Gate, Scientology, the Unification Church, and Jim Jones' People's Temple.

What our Alliance is not is "neo-Nazi," White supremacist (that is, advocating racial segregation, apartheid, "separate but equal Jim Crow"), or even extreme right. We're right (as in correct), all right — and these extreme left Jews are dead wrong when branding the National Alliance a cult. Our goal is strict geographical separation, our own exclusive homeland, free of aliens and their influence. Period. We will work out details later. Preserving our kind is not an "extreme" goal. The cult accusation was run past respected Alliance ally Martin Kerr, who worked closely with Dr. Pierce for years. Martin responded on our White Biocentrism forum:

Accusations that the National Alliance or Cosmotheism are cults or cult-like are off base. True cults are inward-looking groups that are based on

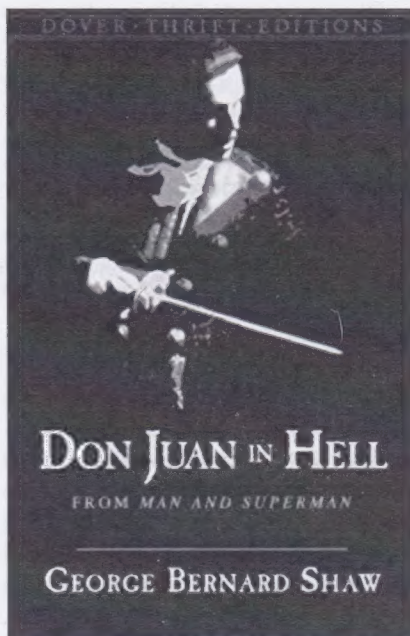
charismatic leadership, esoteric teachings, and revelation. None of these descriptors accurately fit the National Alliance (NA) or the Cosmotheist Church (CC). The fact that the NA spends so much of its energy in public outreach is un-cult-like.

Will Williams and Kevin Strom, both of whom I know personally, are nice enough folks, but neither holds the NA/CC membership in thrall by the force of charismatic leadership. Nor are there esoteric teachings or revelations. Rather, the entire belief system of Cosmotheism is available to anyone who is interested in it: There are no secret teachings which are held back for an inner circle that can only be attained through selective initiation. The doctrines of the CC are not based on supernatural epiphany, but rather on the rational and diligent search for Nature's laws as revealed by the latest scientific data. Of course, some people who throw the word "cult" around are using it in a more general sense, rather than adhering to a strict technical definition [and some are just nasty anti-White Jews].

I remind these critics that Christianity began as a cult. It was a secretive and subversive sect for the first 300 years or so of its existence. Its believers were persecuted, tortured and killed by the Roman state, and its sacred texts were banned and burned. Then in AD 313 it was legalized, and 10 years later it became the official religion of the Roman Empire. From there it became the dominant religion of the entire White world for 1500 years... [and is still cultish].

Who knew? The Alliance in Bed With the Dreaded "Squad"

On 16 August the "conservative" magazine *National Review* (NR) had an article about the four young, non-White US Congresswomen known as "the squad" who have been outspoken lately, treating Israel disrespectfully. These women were chastised for linking to the old National Alliance publication *Who Rules America?* that exposes Jewish ownership and control of the American news and entertainment media. The article quotes the SPLC's standard boilerplate characterization of the Alliance as "vicious neo-Nazi anti-Semites." So



what's new from "conservatives"?

What's good about this article, however, despite the vile misinformation thrown in about our Alliance, is that it links to our entire *Who Rules America?* exposé. Some of NR's more keenly aware subscribers will read our piece and say to themselves: "The National Alliance tells the truth." This much of *Who Rules America?* is actually quoted verbatim in the article:

The Jew-controlled entertainment media have taken the lead in persuading a whole generation that homosexuality is a normal and acceptable way of life; that there is nothing at all wrong with White women dating or marrying Black men, or with White men marrying Asian women; that all races are inherently equal in ability and character — except that the character of the White race is suspect because of a history of oppressing other races; and that any effort by Whites at racial self-preservation is reprehensible.

We must oppose the further spreading of this poison among our people, and we must break the power of those who are spreading it. It would be intolerable for such power to be in the hands of any alien minority, with values and interests different from our own. But to permit the Jews, with their 3,000-year history of nation-wrecking, from ancient Egypt to Russia, to hold such power over us is tantamount to race suicide. Indeed, the fact that so many White Americans today are so filled with a sense of racial guilt and self-hatred that they actively seek the death of their own race is a deliberate consequence of Jewish media control...

Cosmotheist Books

A title that we have been wanting to add to the Cosmotheist Books inventory is Shaw's *Man and Superman* which National Vanguard Books used to carry. Dr. William Pierce often said that his reading of *Man and Superman*, and listening to the play on a phonograph record when he was a college student, was a significant turning point in his life. In Dr. Robert Griffin's biography of Dr. Pierce, *The Fame of a Dead Man's Deeds*, our founder is quoted as saying:

One of the things that helped me find direction [in my life] was a play that I first came upon at Caltech back in 1955 or so — *Man and Superman*. Act three of the play ["Don Juan in Hell"] was the one that really struck me. It expressed the idea that man shouldn't hold himself back. He should completely use himself up in service to the Life Force. I bought a set of phonograph records that just had that act in it... it was well done. Don Juan's expositions were what resonated with me. I listened to that set of records over and over and let it really sink in. The idea of an evolutionary universe hit me as being true, with an evolution toward higher and higher states of self-consciousness, and the philosopher's brain being the most highly developed tool for the Cosmos coming to know itself. I felt I understood what Shaw meant. Over time, I have elaborated upon this idea — I came to call it Cosmotheism — and discussed it in a series of talks I gave in the 1970s... The Shaw idea, and the elaborations I had made on it had answered this fundamental question of what was the most important thing that one can do with

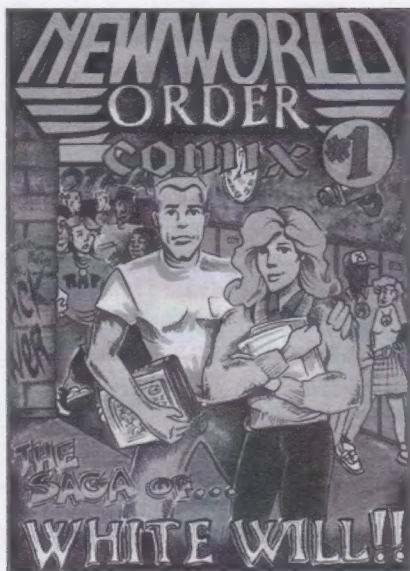
one's life, the proper purpose in life. In a general sense, anyway, I'd answered it. And that is to serve the Life Force: do whatever you can to make a more conscious, beautiful, highly evolved universe...

That quote is from chapter four of Griffin's *Fame* which is available at Cosmotheist Books for \$24. An audio version read by Vanessa Neubauer is here: <https://nationalvanguard.org/2017/08/the-fame-of-a-dead-mans-deeds-audio-book-george-bernard-shaw-et-al/>

Cosmotheist Books now offers *Don Juan in Hell*, a 51 page booklet for \$12.

Additional titles added to our bookstore this month are Mary Shelley's *Frankenstein*; *The Autobiography of Benjamin Franklin*; T.C. Darren's prose adaptation of Richard Wagner's *The Ring of the Nibelung*, *The Rhine-Gold and The Valkyrie*. Also added are a limited number of six oversized "coffee table" books: *The World of the Etruscans* from the Italian Ministry of Arts and Cultural Affairs; *Europäische Freiwillige Im Bild (European Volunteers of the Waffen SS)* from Nation Europa Verlag (hb); *SS Gebirgs-Division Prinz Eugen im Bild*, by Otto Kumm of Nation Europa Verlag (hb); *The Legion Condor — A History of the Luftwaffe in the Spanish Civil War*, by Karl Ries and Hans Ring (hb); *German Print Advertising 1933 - 1945* by Ray and Josephine Cowdery (hb); *Postcards of the Waffen SS Series Cards* by Matthew Roth and L. Moonwheel (hb). This brings the total number of selections available now at our online bookstore to 125: <https://cosmotheistchurch.org/shop/>

If your credit card doesn't work because (((you know who))) doesn't want customers to conduct online commerce with us, order by regular mail with a check or money order, or with cryptocurrency.



Correspondence

Greetings to all at the National Alliance. Thanks for the personal encouragement and thank you again for everything you are doing. I am convinced that all of the hard work and sacrifice of today will be rewarded in future generations. Enclosed is a \$100 check for my monthly dues. A separate \$40 check is enclosed for the book *Cosmotheism*, with a little extra to cover shipping expenses. I'm only requesting the one copy at this time since I noticed when filling out my order that our bookstore says the inventory of *Cosmotheism* is down to just two copies. I purchased this book a number of years ago and it is very important to me. I'm not sure how the bookstore acquires its inventory but if funds are needed to keep this book in stock let me know and I will try to raise funds specifically for this title. I believe it should be in the hands of every member and the hands of as many other Whites as is possible. Keep up the good work! — G.B., Wisconsin

Chairman Williams responds: Thank you, G.B. By paying five times the minimum monthly dues you carry four other Whites on your shoulders. Yes, you purchased our next to last copy of *Cosmotheism* and we've been unable to

reach former Alliance member Aaron Collins, who runs Invictus Books in Missouri. He is the man who took the initiative to publish *Cosmotheism* when he saw that my predecessor, Mr. Gliebe, was not promoting Dr. Pierce's most important, fundamental teachings, and never would. He does not list *Cosmotheism* (to which we, not he, hold the rights) at his Invictus Books site any longer. Lucky for us, until we can manage to publish our own edition of *Cosmotheism*, member Jim Mathias had purchased 100 copies from Aaron and has sent us a good supply of the ones he hasn't sold or given away himself — so we'll have a decent supply for some time to come. Thank you, Jim! We've increased the price to \$35 due to its rarity. Perhaps someone reading this knows Aaron, can contact him and convince him he should supply us with his digital file for *Cosmotheism*. He will be properly credited for his work on the book. For that matter he should rejoin our Alliance. Aaron was one of the Alliance's top members back in the day.

Greetings, Will: Does Cosmotheist Books have any plans to reprint *The Saga of White Will* comic book? — R.B., Arizona

Chairman Williams responds: I certainly hope we can. Doing so is an expensive undertaking and we don't have the original file. But it is doable, and with Print On Demand (POD) available now, 27 years after the first edition, perhaps we can reproduce it without having to carry a large inventory. It was quite the revolutionary piece of work for its time. If we could track down Rip Rousch, we might be able to convince him to help with a sequel: *White Will Goes to College*, or *White Will Joins the Army*, or something

along those lines. I found the following description of our out-of-print comic online:

New World Order Comix — The Saga of White Will is an underground comic published by the White nationalist organization, the National Alliance. A comic with [an] appeal to White youths was an idea of Dr. William Pierce, Chairman of the National Alliance. In late 1992 Alliance members Kevin Strom and Will Williams worked with Dr. Pierce to develop a story line which centered on a White teenager's plight in an interracial school system. Will Williams, although an artist himself, recruited "Rip" Rousch for the artwork. Rousch was a member of the Midtown Boot Boys band who produced a comic strip called *Bootboy*. At the time Rousch was in solitary confinement in Memphis Federal prison for a confrontation he had with Blacks in his home town of Tulsa, Oklahoma. Rousch agreed to do the ink drawings and Williams finished with the color. The collaboration worked fine until prison authorities stopped the process, leaving the first and last page of the comic unfinished. Will Williams finished the remaining two pages, attempting to draw in the style of Rousch. The first printing was 35,000 copies.

We have eight of these comics that we'll sell for \$40 each, but only to those receiving this **BULLETIN**.

Dear National Alliance: Do you know if Dr. Pierce ever lectured or wrote articles about Whites becoming entrepreneurs? I ask, because after studying Black nationalists, I saw that many of them encouraged these undertakings. But I don't recall White nationalist leaders speaking the same way. Let me know...Thanks, — Ron, via email

Chairman Williams responds: Become independent! Start from an early age to design your life so you will not be controlled by a government or corporate employer, or any other employer who will not allow you to freely speak your racist mind about issues important to our race. Learning a trade, offering a service that will always be in demand in good times and bad is a key. Avoid debt. An entrepreneur is merely someone who is self-employed who starts and runs a business, and is willing to risk

some loss occasionally in order to make money. His money — say, his tithe offering, if you will — can support our cause. He can also employ Alliance members in his business, which further supports our cause. White children should be steered into this independent lifestyle instead of the materialistic careers colleges prepare them for these days, loading them down with unnecessary debt.

I don't recall if Dr. Pierce ever tackled this particular question, Ron, but I believe he would agree with this advice. A racially conscious university student who pursues the hard sciences rather than relatively worthless social sciences can still put to use the valuable knowledge he gains, working for himself or for a Politically Incorrect entrepreneur.

Dear Chairman Williams: I'm looking to pay my membership with crypto (finally got access to some) and to buy a few supplies from our bookstore. I will purchase:

The Lightning and the Sun by Savitri Devi; *Hitler's Priestess: Savitri Devi* by Nicholas Goodrick-Clarke; *The Power of Truth* (CDs 1 through 8); 500 National Alliance business cards; \$30; and, *Hellstorm: The Death of Nazi Germany, 1944-1947* by Thomas Goodrich. Subtotal: \$225. Additionally, I will pay three years of membership up front. \$20/month x 36 months: \$720. Total: \$945... I intend to visit The (new) Land in Tennessee soon so no need to mail any products my way until then.

This is unique to the city I am in: It is nearly all White, but I am floored by the number of hostile anti-White "anti-fascists." I haven't been sitting on my hands — I have been out fliering and doing other "extra-curriculars." But the antifa presence here is so strong that all my posters and fliers get torn down within 48 hours (typically 12). It's hard to spread the Alliance message when it gets removed or covered with pro-refugee propaganda. There have been a few close-calls and one fist-fight. May have to invest in some additional protection. All the best, — G.M., New York

"A judge is a cross between a lawyer and a politician."

I don't recall exactly when Dr. Pierce said that, but I'll never forget it.

We'll expand this issue of the **BULLETIN** to twelve pages so members can enjoy parts of the extensive brief I filed with the West Virginia Supreme Court of Appeals (WVSCA) this month. I say "I" filed it, but I could not have done so without an enormous amount of assistance from Mrs. Williams — Lana — the Alliance's volunteer Business Manager here at the National Office. We had no attorney to assist us, much less an appellate attorney, so the brief is filed *pro se*, without counsel. That's okay: No attorney could tell this story. I finally get to officially tell my side of the nearly four-year ordeal of dealing with three coup attempts as Alliance Chairman — including the criminal conviction that was part and parcel of those failed coup attempts, and the use of civil lawsuits against the National Alliance to illegally seize our organization's assets. It is that misdemeanor conviction for battery that is the subject of this appeal. Some of what follows removes formatting of attachment and statute notations, and combines some short paragraphs to make it more compact. Please consider that the defendant is a layman, submitting what is usually prepared by a professionally trained appellate attorney.

First comes ASSIGNMENT OF ERRORS:

Defendant William White Williams, a resident of Tennessee, was wrongly convicted of misdemeanor battery in both Magistrate and Circuit Court of Pocahontas County of West Virginia. During both trials there were numerous legal errors: no presumption of

innocence; no proper investigation; insufficient due process; lack of any sufficient evidence; unreliable witnesses, and significant reasonable doubt that a battery took place on 30 September, 2015. Both Defense counsels, Paul Detch for the Magistrate trial, Laura Finch for Circuit Court Appeal, were extremely ineffective; both were removed from representation of Defendant by the Defendant. The guilty verdict was obtained by fraud. The Accuser, Garland DeCourcy, who uses several aliases (her birth name is Garland Elizabeth Corse) and multiple SSNs is a scam artist with a history, a documented pattern of abuse of the judicial process.

Then comes the STATEMENT OF THE CASE:

Defendant was wrongly convicted and feels that there was an obvious judicial bias during both trials. The reason for that might be either or both judges' fear of Accuser's criticisms of them since she has a history of suing judges and badmouthing Officers of the Court, in writing — and/or that they oppose the political ideology of the Defendant. Defendant is Chairman of the National Alliance, an organization with a 45 year history of advocating for the interests of the American White majority — an unsympathetic or Politically Incorrect ideology in the minds of many, though still perfectly legal, Constitutionally protected beliefs to hold. For example, Defendant was told by his Probation Officer, Robert Tooze, that "90% of Pocahontas County residents believe the National Alliance is "Nazi," National Alliance (NA) is certainly not "Nazi," and has had a clearly stated policy for 45 years against any violence or illegality. Regardless, NA has rich and influential enemies like the Southern Poverty Law Center (SPLC) "watchdog group" which has published numerous outrageous lies about the NA and the Defendant. Accuser has worked with the SPLC during this case. Several of SPLC's widely spread articles are sourced directly from Accuser's original criminal complaint and from her interminable 250,000+ word anti-Williams blog. Just one article (nearly 10,000 words) from that blog was submitted as evidence.

After being contacted by Accuser, Heidi Beirich, the head of SPLC's Intelligence Project, called



The twelve packets of Chairman Williams' *pro se* Brief, along with index, appendix, and several attachments, including three trial transcripts, motions, and amendments, ready for shipping to the five West Virginia Supreme Court of Appeals justices, their clerks, the WVSCA Clerk and the West Virginia Attorney General's office on 23 August, 2019.

the Pocahontas County Sheriff within a half hour after Defendant's first arrest to confirm his arrest. Accuser had been taking pictures of handcuffed Defendant to publish on her blog. Defendant arrived to the NA property in WV that is in close proximity to the house where Accuser with her co-plotter Bob DeMarais cohabitated. They called LE to execute an Arrest Warrant of which Defendant was unaware. Defendant was arrested for violating Accuser's Temporary Restraining Order (TRO), 15-S-35.

Defendant was surprised that a TRO could be in effect without any investigation or a hearing. Accuser made sure to call LE in the late afternoon so Defendant's wife Lana couldn't bring cash bond money from TN. Defendant spent that night at Tygart Valley Regional Jail and Accuser hoped she would be granted her TRO request at the hearing the next morning, 17 December, 2015, since the Accused was incarcerated 70+ miles away. To Accuser's disappointment Lana was able to call Lewisburg,

WV, attorney Paul Detch and have him appear for that hearing and request a continuance. Mr. Detch told Defendant that when he approached Accuser and DeMarais in the hallway before hearing to politely introduce himself, Accuser yelled at him: "How dare you to interfere in my personal affair?"

Mr. Detch paid the cash bond for Defendant, later reimbursed, and Defendant was released from Tygart. But he was forced to hitchhike 80+ miles for over six hours back to his truck that had been moved outside NA property. That was 17 December, 2015, in an all-day, cold pouring rain, with no hat, no coat, tennis shoes, no glasses, and having had all of his money confiscated by the jailers, so not even a dollar for a cup of coffee. The kind couple who gave the soaking wet Defendant a ride from Elkin were paid \$120 by him from the cash in the bank deposit bag that, fortunately, was still in his truck when he arrived back around dusk.

Defendant was forced to pick a bench trial over a jury trial at the end of 2015 when this protracted "tar baby case" began. He feared the jury pool was tainted and could not be impartial because the newspaper of record in the county, *The Pocahontas Times*, featured an article in its 23 December, 2015, edition entitled "National Alliance chairman arrested at Mill Point." The writer of that *Times* article, Janell Graham, quotes SPLC smears about the "hate group" and unsubstantiated quotes by the Accuser from her criminal complaint, but denied the Accused the right of reply to counter false claims published about him in that article. Defendant's counsel told Defendant that the biased writer of that *Pocahontas Times* article, Ms. Graham — unaware that counsel Finch was representing the Defendant — unwittingly gossiped to her, "That Will Williams is dangerous." It is no wonder that Pocahontas County residents perceive Defendant to be the "Pocahontas strangler" when their newspaper quotes the SPLC's smears, characterizing the Alliance as a "neo-Nazi hate group" and quotes his Accuser's claims, but denied the Accused his right of reply.

Once again, Defendant's Accuser is a documented scam artist. Defendant was aware that his Accuser-to-be had been a fellow NA member in the early 1990s. She learned Defendant had recently been appointed NA Chairman, contacted him through the NA Web site in mid-April 2015 and begged to him for urgent help because she was, in her desperate words, about to commit suicide — was in an abusive relationship; being evicted from her home; no job, no money, no place to go. Defendant invited her to

come work and live on the NA campus in WV. Soon enough Accuser become conspiratorial, insubordinate, and defiant. Defendant could not communicate normally with her and invited another NA member, Michael Oljaca, who was an easy-going, idealistic Alliance member to come and live and work on WV property, and be between Accuser and Defendant as the Alliance Chairman's Chief of Staff. Oljaca arrived to Pocahontas County from NYC in the end of July 2015. It soon become clear that docile Oljaca had become under Accuser's full control. Soon after the alleged incident of 09/30/15, Defendant realized that the "battery" was his Accuser's intentional pretext by which to oust Defendant as NA Chairman in a judicial coup attempt, first by being awarded TROs to keep him off NA property, then to have him jailed for as long as possible, while filing bogus civil suits against him and the NA.

From the beginning, on 31 October 31, 2015, when Defendant first heard mention of the alleged battery on 09/30/15, he has consistently denied that it happened, because it did not happen. His short statement to WV State Trooper Damon Brock on that 10/31/15 date stated that Defendant, from behind a desk, stood and extended his right arm over the desk, barely touching the Accuser's chin for a couple of seconds, after she had jumped up from a chair and charged at him in a provocatively threatening manner, screaming and wagging her finger in his face. Defendant never once touched his Accuser's — his employee's — neck, and he immediately left the room to defuse the situation.

There was never any physical struggle with his Accuser. She was awarded her TRO as a result of making her battery claim. That was her intent: to keep the Defendant off of National Alliance property with her TRO. Defendant had no witness, but his Accuser had one, her boyfriend and co-conspirator Oljaca, who by then had been corrupted by Accuser, and who she got to file a second battery claim against Defendant within days of her securing a second Arrest Warrant for the Defendant. Oljaca, also known as Accuser #2, was also automatically awarded the second TRO, 15-S-36, without a hearing or a proper investigation of his claim.

Before the eventual hearings for both TROs ruled in favor of Defendant, for a couple of months the Chairman of the National Alliance had been ordered to stay 1,000 feet away for two years from the offices and nearly 400 acres of NA property he was charged with managing — a ridiculous situation! Again, DeCourcy's motive for making the battery claims was to

get TROs so she and her co-conspirators could have free run of Alliance property while the Chairman was jailed twice in a five-day period for unwittingly violating those TROs for going on NA property.

Accuser, as she is known to do, appealed the denial of her TRO, *16-S-AP-01*, and her appeal was also soon dismissed. Accuser has been abusing and gaming the judicial system for years on a regular basis while asking the Court to waive court fees for her numerous filings, due to her supposed indigence. The Court was not interested in hearing about her motives for filing a false battery claim or about her pattern of requesting TROs in another jurisdiction.

Though only evidence used during Circuit Court trial should be submitted to the Supreme Court, with his intent to help save the Supreme Court time and resources, Defendant attached with his Notice of Appeal as well as with his Amendment To Motion To Use Three Documents During Appeal, a one page cover document. It reflects Accuser's fleeing from Virginia to West Virginia in 2015 without providing Virginia Court with her forwarding address, soon after she filed *pro se* a 172-page complaint against three Virginia Judges and a guardian. The remainder of that Virginia case file is sealed by that Court. Accuser's fleeing from one state for another after getting herself into trouble was repeated in October 2018, soon after Defendant stated in open Court that he would personally question factual inaccuracies in her Victim Impact Statement (VIS) as he is entitled under §61-11A-3(e) (Rule 61). 17 days after Defendant's first sentencing hearing on 10/10/18, that was continued at least three times to, finally, 12 February, 2019, Accuser fled WV in a 26-foot U-Haul truck on 27 October. Defense counsel Laura Finch was informed of this exodus on 4 November, 2018, and Ms. Finch told Defendant that she informed the Circuit Court and the Special Prosecutor of this. Ten months later, as this Brief is prepared in August 2019, no one associated with this case seems to know or care to where the State's claiming witness, the Defendant's fugitive Accuser, has fled. In her VIS of 09/29/18 Accuser stated that she would like to attend Defendant's sentencing and give her oral statement, ostensibly to reinforce her rambling 14-page single-spaced, typed statement.

Though Defendant's legitimate post-trial motion under Rule 61 for a hearing to question factual inaccuracies in his Accuser's VIS, in which she wrote that she would be at the Accused's sentencing hearing, Circuit Court Judge Dent denied that

motion. Defendant also feels this was in violation of his Sixth Amendment right to confront his Accuser (i.e. "look her in the eye") and be able to counter the false testimony that she had submitted to the Court. Judge Dent had previously failed to have Accuser's VIS stricken from the Court record over Defendant's strong objections to strike it.

Accuser had fled the state of WV for parts unknown several months prior to the Judge's denial of Defendant's motion. Nothing in the Case Docket Sheet, 0001, indicates Defendant's Accuser had dropped out of sight, denying his right to face her and question numerous factual inaccuracies in her VIS, as he is entitled under *Rule 61*. Another issue that complicated the case is that Defendant lives about 450 miles round-trip from Pocahontas County. It was very difficult to communicate, much less meet with his attorneys during the numerous trips he was required to make from his home in Tennessee for Court hearings. Both attorneys always seemed to be overloaded with their other work and not interested in vigorously defending their wrongly accused client. Unfortunately, there are only three or so practicing attorneys in Pocahontas County and one of those represents the Accuser's roommate, Bob DeMarais.

Along with the document showing the pattern of abusing judicial process by Accuser, in the same motion Defendant requested permission to use two more documents that were not filed in Circuit Court: a one page letter of explanation, correcting/clarifying transcribed portions of the testimony from Defendant's wife Lana whose first language is not English (it's Russian), and two *ex parte* letters that were sealed and then refused to be unsealed by Judge Dent.

Defendant was unaware of the 10 day period that WV State has to deny such motion. Since this Court decision is not available by the time of this mailing of the Brief to meet the deadline, Petitioner doesn't include these documents in his Appendix.

If this Court decision is going to be to grant the Motion, those three documents can be seen, if needed. The copies of those three documents have been provided to this Court and to Mr. Shannon F. Kiser as attachments to the Amendment to Motion To Use Three Documents During Appeal.

To be eligible for appeal of a criminal conviction the defendant must have at least one valid ground; I name seven in my brief, including lack of evidence, exclusion of exculpatory evidence, inef-

fective counsel, judicial misconduct, and prosecutorial misconduct. In my section on procedural errors during the Magistrate Court trial were these two elements:

Rule 2.11. Disqualification. Magistrate Carrie Wilfong stated in an extremely emotional statement before sentencing Defendant to an unprecedented six months in jail for a first offense that she “had been abused herself” and that “there would be no battering of females in her county.” Both of Defendant’s defense attorneys in this saga were in the courthouse that day and told Defendant immediately after the emotional sentencing that Magistrate Wilfong should have recused herself. Her biased, unrestrained outburst, affected by Accuser DeCourcy’s courtroom theatrics, sobbing, shaking and claims of an “attempted homicide” on her by Defendant, would indicate that Wilfong should not hear and sit in judgment in criminal cases involving claims by females against males of battery, if there is to be a presumption of innocence.

Rule 2.14. Disability and Impairment. By Magistrate Wilfong’s disorderly behavior when she sentenced Defendant, he sensed that she was somehow impaired. The intemperate intensity of her sentencing of him did not show the reasonable impartiality one would expect from a judge in a criminal case. Defendant has since learned that in 2018, this West Virginia Supreme Court of Appeals suspended Magistrate Wilfong without pay in Case No. 18-0891, following allegations that Magistrate Wilfong missed an excessive amount of work and had been intoxicated both at a 2015 Magistrates’ conference and while on the bench. The integrity of the judiciary is certainly placed into question by such conduct by a judge. Wilfong had a judicial hearing wherein she apparently admitted she “has suffered from addiction to drugs legally prescribed to her over a period of approximately fifteen years and that this prescription drug addiction had negatively impacted the performance of her judicial duties.” In the interest of brevity, summarizing Magistrate Wilfong’s later case before WVSCA, No. 19-0170, Petitioner notes that the monitoring agreement that Wilfong had agreed to was suspended “due to noncompliance following drug tests showing significant increases in hydrocodone and benzodiazepines...” Apparently Magistrate “backslid” and was suspended without pay again, following a finding of probable cause that she engaged in a serious violation of West

Virginia’s Code of Judicial Conduct. On March 13, 2019, Magistrate Wilfong requested a hearing, and the matter was heard by this WVSCA on May 15, 2019.

Defendant is unaware of details of Magistrate Wilfong’s unfortunate case but apparently this WVSCA was satisfied on 3 June, 2019, “that probable cause currently exists to believe that Magistrate Wilfong has failed to comply with the terms and conditions set forth in the Board’s November 20, 2018 order that was adopted by this Court’s January 10, 2019 order.”

The final disposition of Magistrate Wilfong’s future as a judge is unknown to Defendant, but he has seen enough about her admitted alcoholism and drug addiction, especially that she has been found to be “intoxicated while on the bench” during the same period when she heard his case of alleged misdemeanor battery, found him guilty and sentenced him to six months in jail, that more than her personal history of being battered comes into question as far as her judicial temperament under Rule 2.14, Disability and Impairment.

Perhaps Magistrate Wilfong’s conviction of Defendant can be reviewed in light of her recent suspension from judicial functions for alleged violations of Judicial Code of Conduct...

There’s more to that section but with a 37-page brief I can’t put but so much of it in this space. That shows enough about the first judge who found me guilty of a false charge for the reader to get the drift. The section on prosecutorial misconduct is revealing and only takes up two pages of the brief:

Violation of Rule 3.8 (Special Responsibilities of a Prosecutor) and Amendments of the U.S. Constitution.

Fourth Amendment of the U.S. Constitution, and Rule 3.8. Special Prosecutor Via began prosecuting Defendant in Circuit Court, having an unprofessional bias and lack of probable cause. He never cared to have his office investigate Accuser’s claim, nor have law enforcement look into the abundance of facts that would lead to the truth; never interviewed Defendant, accepted every lie of Accuser as being truthful. He never called Defense’s very reliable primary witness, Fred Streed, though he had in hand that witness’s

sworn Affidavit, 0319, and his contact information prior to trial. Via therefore suppressed exculpatory evidence that even TV Judge Judy would have followed.

Defendant never enjoyed any presumption of innocence, and SP Via, as a state actor, seemed intent on depriving Defendant of his liberty without due process of the law -- not only in violation of WV law but in violation of both the *Fifth and Fourteenth Amendments of the U.S. Constitution*.

Sixth Amendment of the U.S. Constitution. Despite Defendant's motion requesting a hearing to question Accuser regarding her VIS, 0329, Mr. Via stated that Accuser "is not available here today for cross-examination, nor should she be" at the 02/12/19 sentencing 0346. That appears to be yet another violation of §61-11A-3(e) of WV Code, since she had stated in writing in her VIS [Victim Impact Statement] and on the telephone to Probation Officer Tooze that she wished to attend Defendant's sentencing to give an oral statement reinforcing her written VIS. 0281. As Accuser's scheme unravelled she fled the state rather than appear at Defendant's sentencing and risk being charged with harassment, perjury, filing false reports, contempt of court, abuse of process, or whatever else she has been guilty of perpetrating on the Court all along.

Eighth Amendment of the U.S. Constitution. On presentation of the Defense's request for post-sentencing bond Mr. Via stated that Defendant is going to be at the jail for just 18 days, so he will have plenty of time to take care of his appeal 0368. Actually, it took Defendant more than three weeks after being jailed to partially restore his health and become capable enough for clear thinking and working. The 71 year old Defendant, now 72, was handcuffed for the third time during this protracted ordeal, and remanded from court directly to the Tygart Valley Regional Jail again while that facility was locked down, under quarantine due a serious flu epidemic. The Defendant was infected with the virus, became seriously ill and lost 12 pounds he did not have to lose.

It took Mr. Via two weeks to prepare and file the final order which combines the Court's denials of the three post trial motions 0371. Later it was discovered that the order denying Ms. Finch's Motion to withdraw of 10/10/18 is missing, as well as the order regarding Defendant's bond. Mr. Via was responsible for those orders and for over a week had been ignoring Defense's urgent

requests for those documents due to the, by then, shortened deadline to submit his Notice of Appeal. Defendant's wife Lana had to make several calls to the Circuit Court Clerk after emailing Mr. Via and leaving several telephone messages with his Clerk with no responses. Very unprofessional.

Defense counsel Finch and SP Via couldn't decide who was responsible for filing the order denying Ms. Finch's motion to withdraw. It was finally filed at Defendant's request by Finch, signed by Judge Dent on 3/20/19, 0299, five months after its denial, and on the very last day before the Notice of Appeal was mailed in order to meet the required deadline. Recall that Special Prosecutor Via had spitefully remarked at sentencing that Defendant did not need bond to prepare his Notice of Appeal because he was only going to jail for 18 days...

There is more to that section as well, and *much* more naughty conduct revealed about my second defense counsel and the Circuit Court judge in their sections. It's like I'm taking a big whack at the WV 11th Judicial District hornet's nest (while wearing full protective gear) to see if the WVSCA will deal with that little "club" of lawyers and judges and hold them accountable for their contemptible misconduct, their injustice. I am somewhat protected at this point because I've already served my time, "paid my debt." Besides clearing my name from being a convicted woman beater, I'll be made whole if the lower court's ruling is reversed or vacated. That will be a vindication of the National Alliance as well because I was prosecuted for being National Alliance Chairman, not for some alleged misdemeanor battery. I hope I'll be permitted to make oral argument before the five justices, but the Assistant Attorney General for West Virginia tells me they review around 400 appeals in a year and only 25 to 30 are granted oral arguments. **W. W. W.**